

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

WARREN E. BELL, JR.,

Petitioner,

v.

JASON BENNETT,

Respondent.

CASE NO. 2:24-cv-01204-JNW-BAT

**REPORT AND  
RECOMMENDATION**

Petitioner, a Stafford Creek Corrections Center prisoner, filed a petition for writ of habeas corpus and an application to proceed *in forma pauperis* (IFP). Dkt. 1. Petitioner's prison trust account statement shows Petitioner has average monthly receipts of \$150.00, an average spendable balance of \$49.19, and thus the ability to pay the \$5.00 fee for filing a federal habeas petition. The Court accordingly recommends:

1. Petitioner's IFP application be denied.
2. Petitioner be directed to pay the \$5.00 filing fee within 14 days of adoption of this report and recommendation, or the matter will be dismissed without prejudice.
2. The clerk shall provide a copy of this report to Petitioner.

**OBJECTIONS AND APPEAL**

This Report and Recommendation is not an appealable order. Therefore, Petitioner should not file a notice of appeal seeking review in the Court of Appeals for the Ninth Circuit until the assigned District Judge enters a judgment in the case.

Objections, however, may be filed no later than **August 29, 2024**. The Clerk shall note the matter for **August 30, 2024**, as ready for the District Judge's consideration. The failure to timely object may affect the right to appeal.

DATED this 15<sup>th</sup> day of August, 2024.

  
\_\_\_\_\_  
BRIAN A. TSUCHIDA  
United States Magistrate Judge